

Troutdale Administrative Rules 001

1. **Purpose.** The purpose of these Administrative Rules is to establish an application form, procedures, terms and conditions, and approval/denial guidance for Public Works Permits (“Permit”).
2. **Authority.** The Public Works Director’s authority to adopt these Administrative Rules is contained in Section 12.12.040 of the Troutdale Municipal Code.
3. **Permit Required; Exceptions.**
 - A. A Permit is required for any of the following activities unless an exception is provided in Paragraph 3B.
 - (1) To occupy or encroach on City right-of-way for more than 72 consecutive hours.
 - (2) To store materials in, or perform work in, City right-of-way.
 - (3) To connect to a public water main, sanitary sewer main, or storm sewer main.
 - B. Unless otherwise determined by the Director, a Permit is not required for any of the following:
 - (1) Work performed by City forces or under a contract with the City.
 - (2) Maintenance of above ground equipment that is placed in or adjacent to public right-of-way in accordance with a Permit issued by the City or a franchise agreement with the City.
 - (3) Landscaping performed by a property owner or tenant on the frontage of his/her residence and not involving excavation deeper than 8 inches.
4. **Permit Application Form.** A request for a Permit must be submitted on a Public Works Permit Application Form (“Application”) substantially as shown in Attachment A. The Application must be filled out accurately and legibly and must be accompanied by two sets of plans in sufficient detail to determine the location and scope of work.
5. **Permit Applicant.** The permit applicant may be the property owner, utility owner, tenant or contractor. If a contractor is used, the contractor’s name, address, phone number, CCB License number, and City or Metro Business License number must be provided.
6. **Permit Application Procedure.**
 - A. The permit applicant shall submit the Application and accompanying drawings to the Permit Specialist at City Hall.
 - B. The Permit Specialist shall forward the Application to Public Works for review, approval/denial, and establishment of conditions, if applicable.

- C. The designated Public Works employee shall review the Application and either approve the Application, approve the Application subject to appropriate conditions or deny the Application. The Application is then returned to the Permit Specialist.
 - D. The Permit Specialist shall notify the applicant of the action taken by Public Works. If the Application is approved, the Permit Specialist shall collect the appropriate fee(s), assigns a permit number, and issue the Permit. If the Application was approved with conditions, the Permit shall require the applicant to comply with the conditions.
7. **Delegation of Authority.** Authority to review Applications, approve Applications and establish conditions, deny Applications, suspend Permits, and revoke Permits is delegated to the following:
- A. Chief Engineer
 - B. Civil Engineer
8. **Basis for Approval/Denial.**
- A. An Application will be approved if it meets the following criteria:
 - (1) The Application is completed accurately and legibly.
 - (2) The Application is accompanied by plans sufficient to determine the location and scope of work.
 - (3) The work to be performed complies with the City's "Construction Standards for Public Works Facilities" and any other applicable regulatory standard.
 - (4) The contractor has a valid CCB license and a valid City or Metro business license.
 - (5) The applicant or applicant's contractor is not prohibited from receiving a Permit as provided in the resolution establishing fees and charges.
 - (6) The appropriate permit fee is paid.
 - B. An Application will be denied if it does not meet the criteria in Paragraph 8A.
9. **Terms and Conditions.** The Public Works employee who reviews the Application and approves it may impose conditions pertaining to any or all of the following:
- A. The location within the right-of-way where the activity may occur.
 - B. The duration of the activity or any portion thereof.
 - C. The use of boring rather than trenching methods.
 - D. Restoration procedures.
 - E. The type and timing of inspections required.
 - F. Traffic control procedures
 - G. Notification requirements.

H. Any special standards or specifications to be followed

I. Other conditions reasonably necessary in the public interest.

10. **Oregon Utility Notification Statement.** Each Permit involving excavation shall include the following statement: “**ATTENTION:** Oregon Law requires you to follow rules adopted by the Oregon utility notification center. Those rules are set forth in OAR 952-001-0010 through OAR 952-001-0090. You may obtain copies of the rules by calling the center (Note: The telephone number for the Oregon Utility Notification Center is (503) 232-1987).”

11. **Suspension and Revocation.** A Permit may be suspended for failure to comply with the conditions of the Permit or with any applicable regulatory standard. A suspension may involve a “stop work” order if appropriate. The suspension of a Permit, and "stop work" order shall be removed when the applicant, or the applicant's agent, complies with the condition or regulatory standard. A Permit may be revoked for repeated violations or for an especially grievous violation of the conditions of the Permit or any applicable regulatory standard. When a Permit is revoked a new permit must be obtained to engage in any additional work.

12. **Timelines.**

A. A Permit will be approved or disapproved within ten (10) working days after submittal of a complete Application.

B. A Permit will be valid for a period of 180 days unless otherwise specified by the reviewer.

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